

MINUTES
CITY OF CAMARILLO CITY COUNCIL
REGULAR MEETING
WEDNESDAY, DECEMBER 9, 2015

CALL TO ORDER/ROLL CALL

Mayor Morgan called the meeting to order at 5:12 p.m.

Councilmembers Present: Mike Morgan, Mayor
 Jeanette McDonald, Vice Mayor
 Charlotte Craven, Councilmember
 Kevin Kildee, Councilmember
 Bill Little, Councilmember

Staff Present: Bruce Feng, City Manager
 Ronnie Campbell, Finance Director
 Tom Fox, Public Works Director
 Dave Klotzle, Public Works Director
 Jeffrie Madland, City Clerk
 Monica McGrath, Police Department Commander
 Dave Norman, Assistant City Manager
 Richard Petropulos, Administrative Services Director
 Brian Pierik, City Attorney
 Joe Vacca, Community Development Director

I. AMENDMENTS TO THE AGENDA

Item III M was removed from the agenda and Item III H was pulled for discussion.

II. PRESENTATIONS – NONE

III. CONSENT CALENDAR

Councilmember Craven moved, seconded by Councilmember Little, to approve Consent Calendar Items A through T, with the exception of Items H and M.

A. Minutes

Approved the minutes of the City Council meetings held November 18 and December 2, 2015, as presented.

B. Resolution – Approval of Disbursements

Adopted Resolution No. 2015-133 approving disbursements dated on or before December 2, 2015.

C. Financial Reports – November 2015

Received and filed the following financial reports pursuant to the City's Investment Policy and State law:

1. Investment Report dated November 30, 2015
2. Chronological Investment Activity Report - Month Ended November 30, 2015

3. General Fund Comparative Balance Sheet, September 30, 2015 and October 31, 2015, and October 31, 2014
 4. Minutes of the November 16, 2015 Investment Committee Meeting.
- D. 50th Anniversary of the Vietnam War Ad Hoc Committee
- Ratified the formation of a 50th Anniversary of the Vietnam War Ad Hoc Committee and the appointment of Charlotte Craven and Mike Morgan to serve on the Ad Hoc Committee.
- E. 2015 Legislative Bill Tracking Summary
- Received and filed the 2015 Legislative Bill Tracking Summary.
- F. Minimum Wage Rate Increase to Custodial Agreements with Merchants Building Maintenance
- Authorized the minimum hourly wage rate increases effective January 1, 2016 to Agreement Nos. 2011-44C and 2011-46B in the amounts of \$1,988.58 for City Hall; \$319.26 for Corp Yard; and \$6,454.68 for the Camarillo Public Library.
- G. First Amendment to Maintenance Contract LM-2014 – Landscape Services Area 1, 2, 3, 4 and 5
- Authorized the City Manager to sign Agreement No. 2014-82C with Mycol, Inc. dba Quality Landscape Care and approved an appropriation for an additional \$12,500 to Account No. 220-3310-433.35-15.
- H. Agreements for Transit Operations and Maintenance Services
- Pulled for discussion as VI A.
- I. Purchase Order to General Pump Company for the Spanish Hills Pumping Facility
- Authorized the issuance of a purchase order in an amount not-to-exceed \$82,332.42.
- J. Resolution Approving Final Pay Estimate and Accepting Improvements - ST-11-05 Calleguas Creek Bike Trail – Phase 3 CML-5393 (031)
- Adopted Resolution No. 2015-134 approving the final pay estimate, accepting improvements, and authorizing the Mayor to sign the Notice of Completion.
- K. Resolution Approving the Final Pay Estimate and Accepting Improvements - ST-11-06 Calleguas Creek Bike Trail – Phase 4 CML-5393 (027)
- Adopted Resolution No. 2015-135 approving the final pay estimate, accepting improvements, and authorizing the Mayor to sign the Notice of Completion.
- L. Resolution Approving the Final Pay Estimate and Accepting Improvements - ST-13-05 Pancho Road Repaving STPL-5393 (034)
- Adopted Resolution No. 2015-136 approving the final pay estimate, accepting improvements, and authorizing the Mayor to sign the Notice of Completion.
- M. Memorandum of Agreement with The Furman Group - North Pleasant Valley Groundwater Desalter Project WT-11-01
- This item was removed from the agenda.

N. Consultant Agreements for Geotechnical Review Services

Authorized the City Manager to sign Agreement No. 2015-97 with Fugro West, Inc., and Agreement No. 2015-98 with GeoDynamics, Inc., for geotechnical review services and approve an additional appropriation of \$40,000 to Account No. 101-3101-431.32-13.

O. Consultant Agreement - Land Development Plan Checking Services

Authorized the City Manager to sign Agreement No. 2015-99 with Willdan Engineering to provide land development plan checking services and approve an appropriation of \$190,000 to Account No. 101-3101-431.32-14.

P. Resolution Accepting Public Improvements and Warranty Security and Exonerating Performance Securities – CUP-312, St. Demetrios Greek Orthodox Church

Adopted Resolution No. 2015-137 accepting public improvements and a warranty security and exonerating the appropriate performance securities for CUP-312 St. Demetrios Greek Orthodox Church, located at the northeast corner of Santa Rosa Road and Woodcreek Road.

Q. Agreement for Acquisition of Easements and Acceptance of a Permanent and Temporary Construction Easements on the Property Identified as APN: 234-0-030-250 - Recycled Water Distribution Pipeline Project

Authorized the City Manager to execute Agreement No. 2015-100, easement deeds, and any other documents necessary to complete acquisition of the easements.

R. Requests for Qualifications/Proposals for Professional Services on Implementing Water Conservation Credit Program

Authorized staff to solicit requests for qualifications/proposals for implementation of the water conservation credit program.

S. AB 1600 Developer Impact Fee Report for FY 2014/2015

Received and filed the AB 1600 Developer Impact Fees Report for FY 2014/2015.

T. CDBG Administration Services Consultant Selection

Authorized the City Manager to execute Agreement No. 2015-101 with Veronica Tam and Associates to provide CDBG administration services in an amount not-to-exceed \$20,000.

Motion carried 5-0.

IV. CITY COUNCIL

A. 2016 Meeting Schedule

Councilmember Little moved, seconded by Councilmember Craven, to approve the 2016 Meeting Schedule.

Motion carried 5-0.

B. 2016 Annual Events Calendar

Councilmember Craven expressed concern over the Employee Picnic continuing with the low turnout. Administrative Services Director Petropulos stated, based on an employee survey, changes have been made to increase participation and

attendance.

Councilmember Craven moved, seconded by Councilmember Kildee, to approve the 2016 Annual Events Calendar.

Motion carried 5-0.

C. 2016 City Council Committee Appointments

Councilmember Little moved, seconded by Councilmember Kildee, to confirm the 2016 Committee Appointments List.

Motion carried 5-0.

D. Oversight Board Appointment

City Manager Feng stated the Dissolution Act (ABx126, AB1484, SB107, etc.) allows the Mayor to make two appointments to the Oversight Board to City of Camarillo as Successor Agency. It is necessary to make an appointment to fill a current vacancy.

Councilmember Little moved, seconded by Vice Mayor McDonald, to appoint David Moe, Assistant Director of Community Development, to the Oversight Board and direct staff to notify the State Department of Finance.

Motion carried 5-0.

E. City Manager Employment Agreement

City Attorney Pierik reviewed the Employment Agreement with City Manager Bruce Feng providing for a 4% salary increase to be effective July 1, 2015.

Councilmember Craven moved, seconded by Vice Mayor McDonald, to authorize the Mayor to sign Employment Agreement No. 2015-102 with City Manager Bruce Feng.

Motion carried 5-0.

V. FINANCE

A. Financial Statements – Fiscal Year Ended June 30, 2015 (combined with CSD)

Daphne Munoz, White Nelson Diehl Evans, Certified Public Accounts, presented the Comprehensive Annual Financial Report (CAFR) and other various reports regarding the conduct of the audit for the fiscal year ended June 30, 2015. There were no noted deficiencies or areas of concern.

Councilmember Craven moved, seconded by Councilmember Little, to receive and file the CAFR and various audit reports.

Motion carried 5-0.

VI. PUBLIC WORKS

A. Agreements for Transit Operations and Maintenance Services (formerly Item III H)

Vice Mayor McDonald expressed concern about splitting transit services and awarding intercity dial-a-ride service to a company with limited experience with the City's program. She felt this could jeopardize the success of the new program.

Public Works Director Fox explained staff's rationale was to use the contract with a lower bid to minimize the cost as federal funding would not cover the entire program.

Councilmember Little and Mayor Morgan stated they shared Vice Mayor McDonald's

concerns and supported awarding the entire contract to Roadrunner Shuttle.

Councilmember Little moved, seconded by Vice Mayor McDonald, to authorize the City Manager to sign Agreement No. 2015-96 with Roadrunner Shuttle to provide all transit operations and maintenance.

Motion carried 5-0.

IX. CITY MANAGER

A. Inaugural Business Startup Weekend in Ventura County

Gary Cushing, Camarillo Chamber of Commerce, introduced Martin Shum to provide information on the new program. Mr. Shum presented a PowerPoint detailing how Business Startup Weekend is a competition designed to promote startup businesses to create high paying jobs for the local area. The competition would be limited to technology in either the healthcare or agricultural fields. A winner would be selected from each field and awarded \$10,000 as seed money. He encouraged the City to provide funding for the award money.

The Council supported the concept to increase business start-ups in the area and asked that they consider other funding sources such as EDC-VC and for staff to review the Russell Fischer grant to see if it would qualify as a funding source.

Councilmember Little moved, seconded by Vice Mayor McDonald, to give direction to staff to research the legality of the City awarding prizes and requiring the recipient's business to remain in the City for a specified period of time, and the ability to use the Russell Fischer grant as a funding source for the prize money, and to bring the item back for discussion in January.

Motion carried 5-0

VIII. CITY ATTORNEY – NONE

X. CITY CLERK – NONE

XI. ADMINISTRATIVE SERVICES – NONE

XII. CLOSED SESSION

The City Council recessed at 6:25 p.m. to Closed Session to consider the following items:

A. Conference with Legal Counsel - Anticipated Litigation

Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2); Number of Cases: five.

B. Conference with Real Property Negotiator

1. Authority – Government Code Section 54956.8
2. Property – hotel conference center, Ventura Boulevard; APN 229-0-010-090, -110, -150, -590, -610 & -630
3. Agency Negotiators – City Attorney, City Manager, Assistant City Manager, Community Development Director, Finance Director and Bob Burrow
4. Negotiating Parties – Qualified buyers, The Mian Companies
5. Under Negotiation – Price and terms of payment

C. Conference with Real Property Negotiator

1. Authority – Government Code Section 54956.8
2. Property – 12 acre site, W. Ventura Boulevard; APNs 230-0-020-220 and 230-0-010-460
3. Agency Negotiators – City Attorney, City Manager, Assistant City Manager, Community Development Director, Finance Director and Bob Burrow
4. Negotiating Parties – Qualified buyers
5. Under Negotiation – Price and terms of payment

D. Conference with Real Property Negotiator

1. Authority – Government Code Section 54956.8
2. Property – Cedar Oak 2000-2028 Ventura Blvd.; APNs 162-0-104-010, 162-0-135-050, 162-0-135-060
3. Agency Negotiators – City Attorney, City Manager, Assistant City Manager, Community Development Director, Finance Director, and Bob Burrow
4. Negotiating Parties – Qualified buyers, Aldersgate Investment, LLC
5. Under Negotiation – Price and terms of payment

RECESS/RECONVENE TO THE ADMINISTRATIVE CONFERENCE ROOM

The Mayor called the Study Session to order at 7:00 p.m.

XIV. STUDY SESSION

A. Sign Code Revisions

Assistant City Attorney Davis presented a PowerPoint reviewing the Supreme Court's recent decision in *Reed v. Town of Gilbert* and proposed changes to the City's sign ordinance to assure the City's regulations are content neutral.

RECESS/RECONVENE/CALL TO ORDER/ROLL CALL

The Study Session recessed at 7:24 p.m. The Mayor reconvened the regular meeting of the City Council at 7:32 p.m. with no action to report from Closed Session.

FLAG SALUTE

Vice Mayor McDonald led the Pledge of Allegiance to the Flag.

AMENDMENTS TO AGENDA – NONE

XV. PRESENTATIONS

A. Friends of the Camarillo Library

The Friends of the Camarillo Library presented a check to the City in the amount of \$200,000.

B. Emergency Preparedness

Senior Management Analyst Fraser provided emergency preparedness tips and information about the City's preparations for the upcoming winter.

XVI. PUBLIC SAFETY/INFORMATION

A. Holiday Crime Prevention Tips

Deputy Mario Molina, Crime Prevention Officer, gave a presentation on crime prevention tips to prepare residents for the upcoming holiday season.

XVII. PUBLIC COMMENTS

Robert Martinez, Boys & Girls Club, announced the Parent's Night Out Event which will provide child care so parents can go shopping or have a night out on the town.

Michael Nigh, Area Housing Authority, provided information on how they are handling issues at the Bradford apartments and the lack of Section 8 housing in Camarillo.

Matt Lorimer reiterated his request for a rent stabilization ordinance and shared a list of maintenance issues at Lamplighter Mobile home park.

XVIII. PUBLIC HEARINGS

A. Appeal Hearing - PR-921 New Single-Family Residence at 102 Avocado Place

City Attorney Pierik provided guidelines for the appeal hearing, with the appellant and applicant each having 10 minutes for their initial comments and 5 minutes for rebuttal; and 3 minutes each for members of the public.

Planning Technician Moran presented a PowerPoint providing an overview of Plan Review 921 (PR-921) for a new 4,374 square foot single family home located at 102 Avocado Place. Assistant City Attorney Davis reviewed the legal issues supporting denial of the appeal, reviewed the policy and municipal code for addressing plan reviews for single-family homes, and outlined his contact with the appellant to address their concerns.

PUBLIC HEARING OPENED

Robert Silverstein, representing the appellant, provided handouts to the City Council. He encouraged the Council to overturn the Planning Director's approval of PR-921 due to the geologic condition of the property. He provided revised wording for Condition No. 11 to assure adequate trenching is performed.

Lane Lopez, representing the applicant, stated they support staff's analysis and approval of PR-921. He stated the property is located in a fault study zone, not an active fault, which will require further evaluation. His client wants to move forward and comply with all of the conditions to assure the property can be safely developed.

Robert Silverstein, disagreed with Mr. Lopez and stated a 2005 AGS report indicates an active fault on the property. They appealed PR-921 because the grading permit only requires a discretionary approval and would not allow them a public process to address their concerns. He asked the City Council to revise Condition No. 11 and allowed a public process for approval of the grading permit.

Lane Lopez stated the request to modify Condition No. 11 is outside of the scope of the plan review. He felt the appeal is being presented under the guise of a safety issue when it was more of a landowner dispute. Rick Town, property owner, stated

they will comply with the grading and trenching conditions stated in PR-921.

Tom Barnett, appellant, stated he bought the property adjacent to the subject site under the impression the lot would not be developed due to uncertified fill and an active fault located on the property. He has repeatedly raised concerns about the stability of the site and the City has not adequately responded to those concerns.

The following people expressed concern about the property:

Gerald Halweg
Carol (declined to give her last name)
Sharon Gaiser
Andrew Rice
Prince Jordan Tyson
Matt Lorimer

Hearing no further requests to speak, either for or against the item, the Mayor declared the PUBLIC HEARING CLOSED.

Councilmember Little stated the sole purpose of the site plan review was to create an initial step in the process to assure a proposed house was consistent with the neighborhood and met zoning requirements.

Public Works Director Fox stated the City's process assures a building permit will not be issued until the applicant has met all of the conditions and has proven the lot is safe for development.

Councilmember Little was confident the City's review will be thorough but asked that the Council be provided with the reports as they are filed so the Council is kept up-to-date about the status of the property/project.

Councilmember Craven stated she supported denying the appeal since the City's process for the initial plan review followed the Municipal Code and no one has raised concerns about the proposed design. There are a number of conditions placed on PR-921 which will assure a geotechnical review will be performed to determine the safety of the site.

Councilmember Kildee stated public safety is the number one issue for the City and the process for Plan Review has been successfully in place since 1990. If the conditions in PR-921 cannot be met, the project will not be built.

Councilmember Craven moved, seconded by Councilmember Kildee, to deny the appeal and affirm the decision of the Director of Community Development in approving PR-921 based on all of the findings and evidence set forth in the agenda report and in the record, including all testimony and evidence presented at the hearing. The decision of the City Council is final subject only to judicial review.

Vice Mayor McDonald supported the motion since the plan review process only looks at compatibility. She was confident City staff and consultants will thoroughly review the property to ensure safety before the project moves forward.

Motion carried 5-0.

XIX. DEPARTMENTAL – NONE

VII. COMMUNITY DEVELOPMENT

A. West Ventura County Winter Warming Shelter

Assistant Community Development Director Moe stated the West Ventura County Winter Warming Shelter located at the Oxnard National Guard Armory has been open since December 1 and will remain open through March 31, 2016. The total cost for the shelter is estimated at \$320,000. The City has supported the winter warming shelter since 2002 through grant funding until this year when St. Vincent De Paul declined to operate the shelter. Staff proposed a program to transport Camarillo's homeless population to and from the shelter.

Councilmember Craven moved, seconded by Councilmember Kildee, to authorize a contribution of \$10,000 to the Ventura Downtown Association to operate the Winter Warming Shelter and to provide transportation to and from the shelter utilizing the City's existing transportation system at a cost not-to-exceed \$14,170.

Motion carried 5-0.

PUBLIC COMMENT

Prince Jordan Tyson stated he was a paid actor hired by Crowds on Demand, along with several other people in the audience, to attend the hearing to sway the Council into upholding the appeal. After the fact, he realized it was wrong for him to give an opinion on something he knew nothing about and wanted to retract his previous statements supporting the appeal.

XIII. NEW BUSINESS – ORAL COMMUNICATIONS

A. City Manager – None

B. City Attorney – None

C. Members of City Council

AB 1234 – Reports on Meetings Attended – The Councilmembers reported on attendance at outside agency and Council committee meetings.

Holiday Traffic Control - Public Works Director Fox reported staff has measures in place to address the increase in shopping traffic.

Paula Salazar – Mayor Morgan requested the meeting be adjourned in the memory of Paula Salazar, Camarillo's "oldest citizen." Paula lived a long and memorable 105 years and has been a resident of the Camarillo area since she was 3 years old. She was fortunate to know the Camarillo family and greatly admired Adolfo Camarillo.

Melba Bernice Miller – Councilmember Kildee requested the meeting be adjourned in the memory of Mayor Morgan's mother, Melba Bernice Miller. Vice Mayor McDonald noted that she was Mike's biggest cheerleader and supporter during his campaigns and stated how proud she always was of his accomplishments.

XII. CLOSED SESSION

The City Council recessed back to Closed Session at 10:40 p.m.

XX. ADJOURN

The meeting adjourned at 12:05 p.m. in the memory of Paula Salazar and Melba Bernice Miller. There was no action to report from Closed Session.

ATTEST:

Mike Morgan
Mayor

Jamadland
City Clerk